

From: [REDACTED]
Sent: Saturday, March 12, 2022 5:21 PM
To: JudTestimony
Subject: TESTIMONY REGARDING SB-387 and SB-386

Dear Honorable Chairpersons Winfield and Stafstrom, Ranking Members Kissel and Fishbein, Vice Chairs Kasser and Blumenthal, and all other Members of the Judiciary Committee of the Connecticut General Assembly:

My name is Kathleen Callahan, a resident of Stratford, and the chair of the National Association of Social Workers Connecticut Chapter's Education and Legislative Action Network (NASW/CT ELAN). I am testifying on behalf of the chapter which represents almost 2,400 members. We call upon the Judiciary Committee to vote favorably on SB-387 and consider additional recommendations, including opposition to SB-386.

The legislative agenda of NASW/CT emphasizes advancing racial and social justice and the need for policing, justice, and prison reform by supporting legislation that specifically promotes youth justice reform. We strongly support the work of the Juvenile Justice Policy and Oversight Committee, a diverse assemblage of key stakeholders with the charge of elevating Connecticut's youth justice laws and policies. Over the years, JJPOC has highlighted – and juggled the sometimes competing goals of – restoration, safety, opportunity, justice, and our obligation to all children while promoting equity for not only the youth but society at large.

We thank the JJPOC membership for their continued efforts at this monumental and essential task.

Our opposition to SB-386 is due in fact to the existence of JJPOC. NASW/CT believes their work is comprehensive and inclusive. The proposed working group appears repetitive and does not have the vital input of community voice. Full JJPOC membership meets throughout the year and subcommittees meet monthly to complete their work.

We support the full text of SB-387 and highlight the following from a social work perspective:

Section 3: The additional appointment of four new members who live in communities of high youth arrest rates, including two of whom are under twenty-six years of age and have been impacted by the youth justice system, and providing necessary reimbursement for costs associated with meeting attendance is an excellent update.

Equity involves representation and power, a seat and a voice at the table, and an understanding that we are all the experts on our own lives and communities, our needs and barriers. Providing reimbursement is a commitment to and validation of the expertise and knowledgeable input.

Sections 4 and 5: The proposed broadening of the definition of racial profiling to include “perceived” racial or ethnic status and the addition of pedestrian stops to data collection for review and elimination of profiling and reduction in racial and ethnic disparities are steps forward.

NASW/CT also views SB-387 as a racial justice issue. According to the Smart Justice initiative of the ACLU of Connecticut, our state is among the worst in the nation for disproportionately incarcerating people of color. Only **five** states are worse than Connecticut for Black adults and only **seven** for Latino adults. ^[1] As the numbers of those imprisoned in our state decrease, these racial disparities have remained consistent.

Section 6: We support expansion of community-based diversion programming for low-risk offenses by minimal repeat youth and recommend differential response teams to appropriately divert traumatized children under the age of 12 as a key preventive approach.

NASW/CT understands involvement with the justice system inflicts unnecessary stress on children and can activate a post-traumatic stress response in those who have already experienced trauma. Extensive research shows that experience with police and/or courts increases the likelihood they will become justice-involved in the future and potentially irrevocably alter the trajectory of their lives.

Justice policies should strive to keep youth in the community, employ evidence-based methods to promote positive youth development and build on the strengths of youth and their families.

While not a youth justice issue, we also support related community-based sentencing for specific offenses by low-risk primary caregivers to prevent early disconnection, trauma, and generational impact on their children.

Additional recommendations: NASW/CT supports legislation that raises the age of child arrest from 10 to 12 years old, bans the use of chemical agents on youth, and provides alternatives to suspension and expulsion of preschool through second grade students.

Commentary: With regards to youth and their interactions with the justice system, NASW/CT supports legislation that advances recent research into brain development and the consideration of a young adult stage between adolescence and adulthood. Researchers have recently created a new field of work around “emerging adulthood” and the understanding that full brain maturity, including self-regulation and higher-order cognition, is not complete until at least the mid-20s.^[2]

In a general comparison with adults, a 2020 memo from the Juvenile Sentencing Project at Quinnipiac University School of Law^[3] reports young adults underestimate risk, have lower impulse control, cannot conceptualize future consequences, and struggle to moderate social and emotional responses; **and** emerging adulthood is a predominant time for brain neuroplasticity, an indicator for potential shifts in behavior. Compared to adults, they are less responsible for actions and more capable of change. This is supported by a report about young adult males prepared for the Massachusetts Department of Correction in late 2018, which added that while this population is flexible and capable of change, opportunities for rehabilitation are not found in an adult correctional facility.^[4]

NASW/CT believes promoting opportunity for young adults should be a priority and must include the research into the intersection of trauma and justice-involvement. We know that childhood exposure to traumatic events and toxic stress disrupts brain development. We also know that both individual and environmental adversity – such as family behavioral health issues, parental incarceration, poverty, foster care involvement, racism, and food and home security – delay psychosocial maturity and are **more prevalent** in the history of justice-involved young adults.

It is also important to address the impact of the pandemic. Before COVID-19 lockdowns began, youth that committed offences typically waited about 8 business days for their first court appearance. According to the Connecticut Judicial Branch^[5] there was a significant increase last summer, some experiencing delays of up to 10 weeks. This delay has had negative impacts, keeping youth from important services and opportunities.

Legislatures across the country have started to respond to the research, enacting policies and laws that treat young adults more like juveniles than adults. Connecticut has been a leader, following the science and including the community experts toward a more just, restorative, humane system where young adults can emerge as full and productive participants in their communities. We ask that you continue this progress.

In closing, NASW-CT urges the committee to vote in favor of SB-387, with consideration of our recommendations, and to oppose SB-386.

With respect and gratitude for your service and consideration,

Kathleen Callahan
NASW/CT ELAN Chair
Stratford, CT

^[1] ACLU of Connecticut. (2021). *Smart Justice*. Retrieved from <https://www.acluct.org/en/issues/smart-justice>.

^[2] Massachusetts Institute of Technology. (2018). *MIT Young Adult Development Project*. Retrieved from <https://hr.mit.edu/static/worklife/youngadult/>.

^[3] Juvenile Sentencing Project. (2020, January). *Consideration of Youth for Young Adults*. Quinnipiac University School of Law. Retrieved from https://juvenilesentencingproject.org/wpcontent/uploads/model_reforms_consideration_of_youth_for_young_adults.pdf.

^[4] McDonald, S. M. (2018, November). *The Influence of Brain Development Research on the Response to Young Adult Males 18 - 24 Years of Age in the Criminal Justice System*. Massachusetts Department of Correction, Office of Strategic Planning and Research, Division of Research and Planning. Retrieved from <https://www.mass.gov/doc/the-influence-of-brain-development-research-on-the-response-to-young-adult-males/download>.

^[5] State of Connecticut. (2021, November 11). *Judicial Branch: Trends in Juvenile Court Volume and Timeframes*. Retrieved from <https://s3.documentcloud.org/documents/21151506/trends-in-juvenile-court-volume-and-timeframes-11-18-21.pdf>.